IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 9498 of 2000

For Approval and Signature:

Hon'ble MR.JUSTICE S.K.KESHOTE

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the Civil Judge? : NO

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RAJENDRASINH @ RAJU CHANDRASINH SOLANKI

Versus

STATE OF GUJARAT

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Appearance:

MR HR PRAJAPATI for Petitioner

MR HH PATEL for Respondent No. 1, 2, 3

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CORAM : MR.JUSTICE S.K.KESHOTE

Date of decision: 11/01/2001

ORAL JUDGEMENT

1. Learned counsel for the petitioner submitted that this matter is squarely covered by the decisions given by this Court in special civil applications No.10364/2000 and 10434/2000 today.

2. Learned counsel for the respondents is unable to satisfy this Court that this matter is not covered by the decisions aforesaid of the Court. In this case, admittedly, copy of the statements recorded of the witnesses under section 161 of Cr.P.C. have not been furnished to the petitioner.

3. In the result, this petition succeeds and the same is allowed and the order detaining the petitioner dated 24th August, 2000 passed by the detaining authority under the provisions of Gujarat Prevention of Anti-Social Activities Act, 1985, is quashed and set aside. Rule is made absolute. The petitioner be set free forthwith if he is not required in any other case.

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zgs/-